

REMARKS

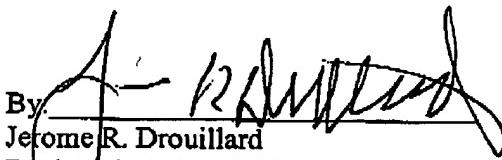
Claims 1-10 are pending in the application. Claims 9 and 10 have, however, been withdrawn from further consideration at this time, as being drawn to an unselected species. Claims 1-8 stand rejected under 35 U.S.C. 102(3) as being anticipated by Müller (US 6,266,842). The Examiner cites Müller as having a first reservoir with freezable fluid, a second reservoir with freeze resistant fluid and a third reservoir for combining the reservoir fluids via a controller. In contrast, as set forth in amended Claims 1 and 6, Applicants' device includes a first reservoir containing a freezable fluid, a second reservoir containing a freeze resistant fluid, a mixer for combining fluids in the first and second reservoirs, and fluid distribution system operatively associated with the mixer for consuming all of the fluid passing through the mixer at the time the fluid is mixed. A controller determines a relative proportion for combining the fluids from the first and second reservoirs.

In contrast with Applicants' claimed invention, Müller discloses a system for making batches of windshield washer fluid which are stored for future use. Unfortunately, Müller will suffer from at least a portion of the shortcomings avoided by Applicants' claimed invention, because if Müller's system mixes fluid, and then the ambient temperature increases, the resulting mixture will have a freeze point which is lower than necessary, thereby resulting in wastage of the antifreeze solution. And, if the ambient decreases after the reservoir is full, the fluid will freeze on the windshield and within the lines running to the nozzles. Because Applicants' claimed system consumes the mixed fluid contemporaneously with the mixing itself, there can be no chance of the fluid either freezing later, or wasting antifreeze additive.

As amended, Applicants' Claims 1 and 6 patentably define over Müller and should be passed to issue. Such action is earnestly solicited. Furthermore, Claims 2-5, which depend from Claim 1 are also allowable over Müller, as are Claims 7 and 8, which depend from Claim 6.

In sum, Applicants respectfully submit that, with the amendment of Claims 1, 5 and 6, each of Claims 1-8 remaining in this case is in condition for allowance and should be passed to issue. Such action is earnestly solicited.

Dykema Gossett PLLC

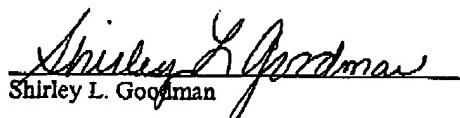

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CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being faxed via (703) 872-9306 to Mail Stop Amendment,
Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of October, 2004.


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